	Application No.	Applicant(s)	
Notice of Allowability	09/904,644	ROETZHEIM, WILLIAM H.	
	Examiner	Art Unit	
	Tuan A. Vu	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *9/26/05*.

2. ☒ The allowed claim(s) is/are *2-19, 22-24 (renumbered 1-21)*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date *20051012*.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

1.   This action is responsive to the Applicant's response filed 9/26/2005

As indicated in Applicant's response, claims 1-12, 15-16, 18, and 22-24 have been amended; and claims 1, 20-21 canceled. Claims 2-19, and 22-24 are pending in the office action.

EXAMINER'S AMENDMENT

2.   An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Williams Kolegraff, Reg # 41,125 on 10/12/05.

The application has been amended as follows:

In the Claims:

Claim 22:

A <u>computer-implemented</u> method of estimating an outcome for a software development project, comprising:

selecting a parametric rule having a plurality of variables;

choosing a project type, a lifecycle, and a standard for the software development project;

assigning a type factor responsive to choosing the project type;

assigning a lifecycle factor responsive to choosing the lifecycle;

assigning a standard factor responsive to choosing the standard;

using the type factor, the lifecycle factor, and the standard factor as variables in the

parametric rule;

generating the outcome;

wherein the parametric rule uses the type factor, the lifecycle factor, the standard factor,

an environment factor, and a size element, ; and the parametric rule is used to determine an

effort, and has the effort having the general form of

"EFFORT = TYPE FACTOR * LIFECYCLE FACTOR * STANDARD FACTOR *

ENVIRONMENT FACTOR * SIZE ELEMENT;" ; and wherein the parametric rule is in the form

of

"EFFORT = ΣEnv(l) * M(a) * Life * Std * KSLOC $^{M(b) + ΣEnv(s)}$ " (; and

wherein *Env(l)* is a linear value for environmental considerations, *M(a)* is a linear value

for project type, *Life* is a linear value for the selected software lifecycle, *Std* is a linear value for

the selected software standard, *KSLOC* is thousands of lines of code, *M(b)* is a scaling value for

project type, and *Env(s)* is a scaling factor for environmental considerations) .

Claim 24:

A computer-implemented method of estimating an outcome for a software development

project, comprising:

selecting a parametric rule having a plurality of variables;

choosing a project type, a lifecycle, and a standard for the software development project;

assigning a type factor responsive to choosing the project type;

assigning a lifecycle factor responsive to choosing the lifecycle;

assigning a standard factor responsive to choosing the standard;

using the type factor, the lifecycle factor, and the standard factor as variables in the parametric rule;

generating the outcome;

wherein the parametric rule uses the type factor, the lifecycle factor, the standard factor, an environment factor, and a size element; ; and the parametric rule is used to determine an effort, and has the effort having the general form of

"EFFORT = TATE FACTOR * LIFECYCLE FACTOR * STANDARD FACTOR * ENVIRONMENT FACTOR * SIZE ELEMENT;" ; and

using a schedule parametric rule and a schedule factor associated with the project type, the schedule parametric rule having the form of

" Schedule = T(a) * T(b) * Effort $^{T(b) + (\Sigma Env(s)/ 5)}$ *"* (; wherein *T(a)* is a linear value for project type, *T(b)* is a scaling value for the project type, *Effort* is a an estimate of resource used derived from the effort rule, and *Env(s)* is a scaling factor for environmental considerations).

Statement of Allowance

3.   Claims 2-19, and 22-24 are allowed, in view to the allowable subject matter being identified in the previous Office Action.

DRAWINGS

4.   However, it is recommended that Applicant submit a more legible copy of the DRAWINGS, the details of Figures 8-20 presently on record being perceived as not sufficiently legible or decipherable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A Vu whose telephone number is (272) 272-3735. The examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)272-3719.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3735 (for non-official correspondence – please consult Examiner before using) or 571-273-8300 (for official correspondence) or redirected to customer service at 571-272-3609.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VAT
October 12, 2005

KAKALI CHAKI
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